

Attorney Docket No.: 20309/95443

PATENT



**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which: (mark only one)

- ☒ (a) is attached hereto.
☒ (b) was filed on March 11, 1999 as Application Serial No. 09/266,346, Attorney Docket No. 20309/95443 and was amended on _____ (if applicable).
____ (c) was filed as PCT International Application No. PCT/____ on _____ and was amended on _____ (if applicable).
____ (d) was filed on _____, 1999 as Application Serial No. 09/____ and was issued a Notice of Allowance on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 C.F.R. §1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. §119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

| Number | Country | Month/Day/Year Filed | Date first laid- open or Published | Date patented or Granted | Priority Claimed | |
|--------|---------|-------------------------|--|-----------------------------|------------------|-------|
| | | | | | Yes | No |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |

I hereby claim the benefit under 35 U.S.C. §120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

| Application No. (series code/serial no.) | Month/Day/Year Filed | Status (pending, abandoned, patented) |
|--|----------------------|---------------------------------------|
| _____ | _____ | _____ |

I hereby appoint: Peter J. Manso, Registration No. 32,264


as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Akerman Senterfitt & Eidson, P.A.
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

| | | |
|---|--|--------------------|
| Joel R. Mitchen |  | 6-30-00 |
| Full Name | Inventor's Signature | Date |
| Indianapolis, Indiana | | USA |
| Residence (city, state, country) | | Citizenship |
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(FOR ADDITIONAL INVENTORS, check here _____ and add additional sheet for inventor information regarding signature, name, date, citizenship, residence and address)



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Office of Petitions, Assistant Commissioner for Patents,
Washington, D.C. 20231 on December 23, 2002.

SMALL ENTITY STATUS
Under 37 (CFR 1.9(f) and 1.27(b))
Serial No. 09/266,346
Docket No. ARO-104 (32873-155)

David R. Saliwanchik
David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jack L. Aronowitz , Joel R. Mitchen, John Weiss and Irwin Weitman
Serial No. : 09/266,346
Filing Date : March 11, 1999
For : Noninvasive Transdermal Systems for Detecting an Analyte in a Biological Fluid and Methods

Office of Petitions
Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

ASSERTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.27

Sir:

I hereby declare that the above-referenced patent application qualifies as a small entity status under 37 CFR 1.27 (a)(1) for purposes of paying reduced fees.

The undersigned is the attorney of record.

Respectfully submitted,

David R. Saliwanchik

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